

**TOWN OF TUPPER LAKE REGULAR & ORGANIZATIONAL MEETING**

**MONDAY, JANUARY 9, 2012**

**4:00 P.M.**

Roll Call: Supervisor Roger Amell  
Councilman David Tomberlin  
Councilwoman Patricia Littlefield  
Councilman Gerald Fletcher

Absent: Councilwoman Kathleen Lefebvre

Recording Secretary: Laurie J. Fuller – Town Clerk

Also: Paul O’Leary – Assessor/Code Officer  
William Dechene – Highway Superintendent

Absent: Mike Fritts – Youth Activity Director

Press: Dan McClelland – Tupper Lake Free Press  
Pat Bedore – Tupper Lake Free Press  
Jessica Collier – Adirondack Daily Enterprise

Guest: Lawrence Reandeau – River Road Resident

Supervisor Amell called organizational meeting to order at 4:05 p.m. opening with the Pledge of Allegiance.

Establish the agenda:

Add - Larry Reandeau & Dan McClelland speak about flooding on River Road.

1. Setting Pole Dam  
Help prevent Flooding;

Larry Reandeau & Dan McClelland, residents on River Road wish to speak to town board members about what can be done ahead of time to help prevent the flooding in the spring. Last year’s flooding caused many home owners to vacate their homes causing damage. Mr. Reandeau believes the problem is the opening of the gates. He believes the gates are not being monitored correctly. Orion Power Company monitors gates at Setting Pole Dam. Supervisor Amell agreed to set up a meeting with Orion to see if there is a solution to help prevent the flooding we had last year.

2. Organizational meeting:

2012

Committees

HIGHWAY DEPARTMENT	Councilwoman Patricia Littlefield Councilman Gerald Fletcher
LITTLE WOLF BEACH & CAMPSITE	Supervisor Roger Amell Councilwoman Kathleen Lefebvre
TOWN OFFICES, BUILDINGS & PROPERTIES	Councilman David Tomberlin Councilwoman Kathleen Lefebvre
TUPPER LAKE COUNTRY CLUB	Councilman Gerald Fletcher Councilwoman Patricia Littlefield
AUDIT COMMITTEE	Councilwoman Kathleen Lefebvre Councilman David Tomberlin
DOG CONTROL	Supervisor Roger Amell
TOWN PLANNER & YOUTH ACTIVITY DIRECTOR	Councilwoman Patricia Littlefield Councilman Gerald Fletcher

The following appointments were made by the town board:

**2012 Organizational Meeting**

**January 9, 2012**

Assessor	Paul O'Leary
Deputy Town Clerk & Registrar	Donna Maliszewski
Building Custodian	Donna Maliszewski
Court Clerk, Part Time	Laurie Fuller
Dog Officer	William Moody
Part Time Clerk	Tina Jessie
Tax Collector for the year 2012 Deputy Tax Collector	Laurie J. Fuller Donna Maliszewski

Deputy Highway Superintendent	Derek Foote Highway Superintendent's Appt.	
Deputy Supervisor	Councilwoman Kathleen Lefebvre Supervisor's Appt.	
Hazardous Waste Control Officer	Mark Amell	
Town Historian	John Kopp	
Town Health Officer	Ron Simmons	
Town Planner Deputy Town Planner	Paul O'Leary Mike Fritts	
Code Enforcement/Zoning Officer	Paul O'Leary	
Bookkeeper to Supervisor Budget Officer	Mary Sue Wolson Roger Amell	
Town Accountant	Therese Ellis	
Town Attorney	Kirk Gagnier	
Youth Activity Director	Mike Fritts	
Legal holidays observed	New Year's Day Washington's Birthday Independence Day Columbus Day Thanksgiving Day Christmas Day	Lincoln's Birthday Memorial Day Labor Day Election Day Veteran's Day Martin Luther King Day
Town Clerk's Petty Cash	\$200.00	
Mileage Allowance	.50 cents	
Official Depository?	Community Bank & NBT Bank	
Official Newspapers	Tupper Lake Free Press Adirondack Daily Enterprise	
Regular Monthly Board Meeting	2 <sup>nd</sup> Monday – 4:00 P.M. 4 <sup>th</sup> Monday if needed	

I HEREBY SOLEMNLY ATTEST that this is a true and complete listing of all appointed employees who have filed the oath of office in the Town of Tupper Lake for a term of one year.

Dated at Tupper Lake, New York this 1<sup>st</sup> day of January 2012

---

Town of Tupper – Town Clerk

Motion to approve appointments for organizational meeting as listed above was made by Councilwoman Littlefield

Seconded by Councilman Fletcher  
All Town Board Members voted AYE 4/0

\*\*\*\*The Town Clerk will administer Oath of Office pledges to all appointed officials.

3. Approve Code Officer's Monthly report:

## Monthly Report

### December 2011

2 Building Permits issued in December (see the attached report).

Completed 6 field inspections.

December 2011 miles logged 75.

#### **2011 Totals**

Miles logged: 1753  
Mileage paid: \$788.85  
Field inspections: 166  
Compliant calls: 13  
Permits issued: 85  
Demo permits issued: 4  
Fees collected: **\$9,659.14**

#### **2010 Totals**

Miles logged: 2011  
Mileage paid: \$934.20  
Field inspections: 225  
Compliant calls: 11  
Permits issued: 78  
Demo permits issued: 2  
Fees collected: **\$10,821.00**

#### **2009 Totals**

Miles logged: 2216  
Mileage paid: \$997.18  
Field inspections: 263  
Compliant calls: 21  
Permits issued: 80  
Demo permits issued: 9  
Fees collected: **\$16,113.40**

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O'Leary  
Town of Tupper Lake  
Code Enforcement

<b>Town of Tupper Lake</b>					
<b>Permit Monthly Report</b>					
		From	December 01, 2011	To	December 31, 2011
<u>Document #</u>	<u>Issue Date</u>	<u>Owner</u>	<u>Document Type</u>	<u>Property Location</u> <u>SBL</u>	<u>Amount</u>
<b>December</b>					
006-09	12/1/2011	South Point Big Wolf LP	1 & 2 Family	49 Big Wolf Rd 470.-5-1	\$25.00
077-11	12/20/2011	Sherman Lalonde	Garage/Carport	Lafayette (Unopened) St 480.-3-7	\$25.00
<b>December Total :</b>					<b>\$50.00</b>

Motion to approve Code Officer's Monthly report was made by Councilman Tomberlin

Seconded by Councilwoman Littlefield  
All Town Board Members voted AYE 4/0

4. Approve Youth Activity Director's report:

## **Recreation Report for 01-09-12**

**X-C Trails** – Sleds are finally up at the mountain and grooming has begun. John has supplied me with a list of operators and they are the same as last year. We've replaced some of the laminated trail markings signs. As for the roller that Mitchell Stone Products was asked to make, we've set up a fundraising campaign to cover the cost. As of January 4, 2011, we have received \$350 in donations, or nearly half needed to cover the cost. Port-a-Potty was supposed to be delivered Friday or today.

**X-C Program** – The recent snow has had my phone ringing from parents wanting to sign up. There were 10 that signed up last week alone which meant ordering equipment. The \$2,000 grant we received from the Uihlein-Ironman Fund is exhausted and I'm now dipping into registration fees. The x-c club held its first after school meeting at the Bencze home and the students really enjoyed their first outing. We were also to hold our first biathlon event yesterday but weather conditions have not cooperated.

Since the paintball equipment is used exclusively for the Nordic program, I thought of finding other uses for it. Any ideas are welcome.

**Grants** – I have come across a few potential donors. I've submitted a request for \$4,000 from the **Kinney Drugs Foundation**. I asked for money for beach and daycamp equipment. It has a pretty quick turnaround so I should know something in a couple of weeks.

**Rite Aid Foundation** – Seeing that their focus is on community wellness I’m writing for money for the community garden. So far I’ve requested a small tiller, benches, a lawnmower and money to assist in locating a spigot closer to the gardens.

**RKG Foundation** – This one yields much more money, up to \$25,000. I first need to submit letter of inquiry and then they will let us know if our project fits their criteria. It appears that we could use funding to cover day camp salaries.

**Stewart’s** – I have applied for \$2,000 to cover some of the transportation costs for summer day camp.

**Others-** I’ve been trying to pinpoint some other projects to seek money for. As for looking for donations I plan to once again contact Graymont to see if they would donate a piece of playground equipment for the beach. Also, I know it is village property but I strongly feel a better ball field at Washington Street Park would benefit the entire community.

***PLEASE*** share with me any ideas you may have.

**Little Wolf Campground** – Believe it or not requests for spots and pavilion use are starting to come in. Very shortly I’ll be updating the camping reservation list. Last year I transferred campground reservations to excel. Having an electronic reservation log has worked much better than the old writing it down in a book way. I would also like to work with Mr. Tomberlin to update information on the tupper-lake.com website.

Motion to approve Youth Activity Director’s monthly report was made by Councilwoman Littlefield.

Seconded by Councilman Tomberlin  
All Town Board Members voted AYE 4/0

5. Approve Dog Control Officer’s report:

TOWN OF TUPPER LAKE  
DOG CONTROL REPORT

FOR THE MONTH OF: December 2011

Date: January 1, 2012

Complaints Received	1
Complaints Answered	1
Dogs Captured	1
Dogs turned over to DCO	0
Dogs transported to HS	0

Dogs Adopted	0
Dogs Euthonized	0
Dogs treated by Vet	0
Dangerous Dog Complaints	0
Tickets Issued	0

Mileage 44  
DCO William Moody

Motion to approve Dog Control Officer's monthly report was made by Councilman Fletcher

Seconded by Councilman Tomberlin  
All Town Board Members voted AYE 4/0

6. Approve Dog Pound and Control Officer Agreement with the Town of Piercefield:

### **Resolution #1 - 2012**

#### **AGREEMENT**

THIS AGREEMENT made this 9th day of January 2012, between the TOWN OF PIERCEFIELD, St Lawrence County, New York, hereinafter designated as the "Town of Piercefield" and the TOWN OF TUPPER LAKE, Franklin County, New York, hereinafter designated as the "Town of Tupper Lake".

#### **WITNESSETH**

**WHEREAS**, the Town of Piercefield maintains no animal shelter of its own, and

**WHEREAS**, the State of New York Department of Agriculture and Markets requires each township to provide adequate animal shelter facilities, and

**WHEREAS**, in the past the Town of Tupper Lake has provided animal shelter services to the Town of Piercefield, and

**WHEREAS**, this Agreement has been duly authorized by the Town Boards of the Towns of Piercefield and Tupper Lake,

**NOW THEREFORE**, the Towns of Piercefield, and Tupper Lake do set forth the Terms and Conditions of this Agreement as follows:

1. The Town of Tupper Lake shall offer the use of its animal shelter at the cost of \$10.00 per day, per dog.

2. The owner of any dog seized by a Dog Control Officer or any Law Enforcement Officer shall be sought by the municipal Dog Control Officer or Officers for the duration of the period of impoundment in the Animal Shelter as prescribed by New York State Ag&Mkts Law.
3. Disposition of dogs whose owners cannot be located shall be carried out as prescribed by New York State Ag&Mkts Law.
4. All veterinary costs incurred by the Town of Piercefield and/or Town of Tupper Lake for any seized dog shall be reimbursed by the owner of said dog to each Town so burdened.
5. Costs incurred for care, shelter, and disposition of dogs whose owners cannot be located shall be the responsibility of the municipality in which the dog was seized.
6. No action shall be maintained by any person against the Towns of Piercefield or Tupper Lake, any duly designated dog control officer, or any other agent or officer of the Town, to recover the possession, or value of any dog, or for damages for injury, or compensation for the destruction of any dog seized or destroyed pursuant to the provisions of the applicable Local Dog Control Laws and New York State Ag&Mkts Law.
7. The Town of Tupper Lake and Piercefield agree to hold each other harmless for any injury or damage to persons or property sustained during the course of good faith dog control activities by

duly authorized personnel pursuant to their respective Local Dog Control Laws and New York State Ag & Mkts Law.

8. The Towns of Tupper Lake and Piercefield jointly authorize their Dog Control Officers to serve either Town in the event that one is unable to do so, the compensation to be negotiated by the respective Town Boards, giving consideration to duration and extent of temporary service.

9. The Towns of Tupper Lake and Piercefield agree to provide to each other Certificates of Proof of Liability Insurance, naming each other as "Additional Insured" on said Certificates, with minimum coverage as follows:

- i. *General Liability Insurance, on an "Occurrence" basis, with the following limits:*
  - ii. \$ 1,000,000      *Each Occurrence*
  - in. \$2,000,000      *General Aggregate*
  - iv. \$1,000,000      *Products Aggregate*
  - v. \$1,000,000      *Personal Injury*
  - vi. \$50,000      *Fire Damage Legal Liability*

vii. \$5,000 Medical Payment Expense and

10. This Agreement shall continue for a period of one year from the 1st day of January, 2012 through December 31, 2012

IN WITNESS WHEREOF, the parties have duly executed and delivered this Agreement the day and year mentioned above.

TOWN OF PIERCEFIELD

BY: \_\_\_\_\_  
Neil Pickering, Town Supervisor

TOWN OF TUPPER LAKE

BY: \_\_\_\_\_  
Roger Amell, Town Supervisor

Agreement introduced at the Town of Tupper Lakes regular town board meeting held January 9, 2012

Motion: Councilwoman Littlefield  
Seconded: Councilman Tomberlin  
Absent: Councilwoman Lefebvre  
Action: Carried 4/0 vote

\_\_\_\_\_  
Laurie J. Fuller – Town Clerk

7. Approve Town Court’s Yearly report:

**TOWN JUSTICE’S ANNUAL REPORT – 2011 FISCAL YEAR**

<b>MONTH</b>	<b>AMOUNT</b>	<b>DEPOSIT</b>	<b>CK#</b>
January	8784.00	8784.00	1057
February	8765.00	8765.00	1063
March	10520.00	10520.00	1067
April	6620.00	6620.00	1068

May	8757.00	8757.00	1070
June	12310.00	12310.00	1072
July	9505.00	9505.00	1074
August	14145.00	14145.00	1075
September	14185.00	14185.00	1076
October	10180.00	10180.00	1077
November	10700.00	10700.00	1078
December	11279.00	11279.00	1079

TOTAL 127,350.00

---

Leonard F. Young III – Town Justice

**Resolution #2 - 2012**

RESOLUTION AUDITING TOWN COURT'S RECORDS AS PER REQUEST FROM STATE OF NEW YORK UNIFIED COURT SYSTEM

**WHEREAS:** the state of New York Unified Court System has requested the Town Audit the Town of Tupper Lake court's records annually and,

**WHEREAS:** At a Town Board Meeting held January 9, 2012 the Town Board reviewed court records for the year 2011 and passed a resolution approving the auditing of Justice Leonard F. Young III court's records to be satisfactory.

**Date:** January 9, 2012

**Motion:** Councilman Tomberlin

**Seconded:** Councilman Fletcher

**Absent:** Councilwoman Lefebvre

**Action:** Carried 4/0 vote

---

Laurie J. Fuller – Town Clerk

8. Change Town Office Hours:

**Resolution #3 – 2012**  
THE TOWN BOARD OF THE TOWN OF TUPPER LAKE  
Franklin County, New York

Change Town Hall Office operating hours

**WHEREAS:** at the Regular Town Board Meeting held November 14, 2011 it was discuss to change office operating hours from 9:00 a.m. - 4:30 p.m. to 8:30 a.m. - 4:00 p.m., and

**WHEREAS:** opening a half hour earlier would give residents an opportunity to take care of town business before starting their work day, which we tested the month of December.

**NOW THEREFORE BE IT RESOLVED:** at a Regular Town Board Meeting held January 9, 2012 board members passed a resolution changing the Town Hall Office operating hours to 8:30 a.m. – 4:00 p.m.

Date: January 9, 2012

Motion: Councilman Fletcher

Seconded: Councilwoman Littlefield

Absent: Councilwoman Lefebvre

Action: Carried 4/0 vote

---

Laurie J. Fuller – Town Clerk

9. Approve Lease Agreement with  
Franklin County Probation Department:

**Resolution #4 - 2012**

**LEASE AGREEMENT**

This Agreement made this 9th day of January 2012 between the **TOWN OF TUPPER LAKE**, a municipality with offices at 120 Demars Blvd., Tupper Lake, New York 12986 (“Lessor”) and **FRANKLIN COUNTY PROBATION DEPARTMENT**, Malone, New York 12953 (“Lessee”)

Lessor does hereby lease to Lessee the office on the first floor of the Town of Tupper Lake Office Building, 120 Demars Blvd., Tupper Lake, New York, which has been previously occupied by Lessee, with the privileges and appurtenances for and during the term of one year from the 1<sup>st</sup> day of January 2012 to December 31, 2012.

Lessee will pay to Lessor for the use of said premises; the annual rent One Thousand Two Hundred (\$1,200.00)

In the event Lessee shall fail pay said rent, or any part thereof when it becomes due, it is agreed that Lessor may sue for the same, or re-enter said premises, or resort to any other legal remedy.

Lessor will provide heat and lights to the office space and office personnel of Lessee may use the lavatory facilities. Lessee will provide its own telephone services.

Lessee covenants that at the expiration of said term it will surrender said premises to Lessor in as good condition as now, necessary wear and damage by the elements excepted.

WITNESS the hands and seals of the said parties as of the day and year first above written.

In presence of

TOWN OF TUPPER LAKE

\_\_\_\_\_

BY: \_\_\_\_\_

Motion: Councilwoman Littlefield

Roger Amell, Supervisor

Seconded: Councilman Tomberlin

Absent: Councilwoman Lefebvre

Franklin County Probation Department

Action: Carried 4/0 vote

BY: \_\_\_\_\_

Denise L. McLane, Executive Director

10. Approve Insurance Renewal Agreement  
with Belleville & Associates:

**RESOLUTION #5 – 2012**  
**OF**  
**THE TOWN BOARD OF THE TOWN OF TUPPER LAKE,**  
**FRANKLIN COUNTY, NEW YORK**

NYMIR Insurance Policy renewal for the year 2012

**WHEREAS;** Belleville & Associates will renew our policy for property and liability insurance with NYMIR, and,

**WHEREAS;** the total amount for the year 2012 is \$31,295.80.

**THEREFORE BE IT RESOLVED;** at a regular town board meeting held January 9, 2012 town board members passed a resolution to renew their policy with NYMIR.

Date: January 9, 2012

Motion: Councilman Tomberlin

Seconded: Councilman Fletcher

Absent: Councilwoman Lefebvre

Action: Carried 4/0 vote

---

Laurie J. Fuller – Town Clerk

11. Advertise for bids for License  
Contractor & Laborer:

Motion to advertise for a License Contractor & Laborer at an hourly rate as needed to do work on town owned buildings was made by Councilwoman Littlefield.

Seconded by Councilman Fletcher  
All Town Board Members voted AYE 4/0

12. Discuss groomer with Snowmobile Club:

Nobody from the Snowmobile Club attended meeting. Agenda item canceled.

13. Approve Budget Transfers:

Motion to approve 2011 Transfers as per attachment was made by Councilman Fletcher

Seconded by Councilman Tomberlin

All Town Board Members voted AYE 4/0

Motion to approve 2012 Transfers as per attachment was made by Councilwoman Littlefield

Seconded by Councilman Tomberlin  
All Town Board Members voted AYE 4/0

14. Approve Abstract:

Motion to approve Abstract of Audited Vouchers for the period 12/13/2011 – 1/9/2012 in the amount of \$244,769.54 was made by Councilman Tomberlin

Seconded by Councilwoman Littlefield  
All Town Board Members voted AYE 4/0

15. Approve Internet hook-up  
at Town Highway garage:

Highway Superintendent William Dechene requested getting the internet at the highway garage making it easier to order parts for trucks and who has state bids on OGS site.

All Town Board members agreed and gave O.K. to get internet hook-up on the highway garage computer.

16. Adjournment:

Motion to adjourn at 4:50 p.m. was made by Councilman Fletcher

Seconded by Councilman Tomberlin  
All Town Board Members voted AYE 4/0

---

Laurie J. Fuller – Town Clerk